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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,691	12/22/2000	Thomas J. Moran	476-1973	9946
23644 7590 12/20/2006 BARNES & THORNBURG LLP P.O. BOX 2786 CHICAGO, IL 60690-2786			EXAMINER ALAM, UZMA	
			ART UNIT 2157	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE			MAIL DATE	DELIVERY MODE /
3 MONTHS			12/20/2006	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/747,691

Applicant(s)

MORAN ET AL.

Examiner

Uzma Alam

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/6/06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,5-9,11,13-21 and 24-29 is/are pending in the application.
- 4a) Of the above claim(s) 24-29 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5-9,11 and 13-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/22/2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This action is responsive to the arguments filed September 6, 2006. Group 1 is elected with traverse. Group 1 contains claims 1, 2, 5-11, 13-18, and 19-21. Claims 24-29 are withdrawn from consideration. Claims 1, 2, 5-11, 13-18, and 19-21 represent providing a web page to a call member.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 5-11, 13-18, and 19-21 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Mustafa Patent Publication No. 2002/0059378. Mustafa teaches the invention substantially as claimed including establishing connection between an agent and a user (see abstract).

As per claims 1, 13, 17, and 19, Mustafa teaches a method, apparatus, computer program, telephone terminal, and website of providing a web page to a telephone terminal employed by a member of a call, comprising the steps of:

(i) maintaining a record of an association between stored web pages and pre-specified information identifying one or more potential call members (accessing web pages online; pp 0032, 0036-0037, 0052, 0053);

(ii) when said call is in progress, identifying a member of said call and selecting one of the stored web pages based on an association in said record between said selected one of the stored web pages and information identifying said member of said call (the agent and client connected on the phone and directly on the Internet, viewing the same web pages; 0032, 0033, 0041); and

(iii) providing the selected web page to a telephone terminal employed by a call member (the agent and client connected on the phone and directly on the Internet, viewing the same web pages; 0032, 0033, 0041).

As per claim 2, Mustafa teaches a method as claimed in claim 1 wherein the web pages are provided on behalf of a second call member to a call member (the client or the agent provide web pages to each other; pp 0030, 0032).

As per claim 5, Mustafa teaches a method as claimed in claim 4 wherein the pre-defined web server is accessed by setting up a data call from the first call member to the web server (a client accesses a server for a specific merchant; 0030, 0032).

As per claim 6, Mustafa teaches a method as claimed in claim 2 wherein each of the call members comprises a terminal connected to a communications network over which the call is established (the user and agent utilize terminals; 0028).

As per claim 7, Mustafa teaches a method as claimed in claim 6 wherein each of said terminals comprise a web-browser suitable for displaying a web page on the terminal (pp 0028-0029).

As per claim 8, Mustafa teaches a method as claimed in claim 6 wherein web pages are stored on each of the terminals (downloading the web pages; 0044, 0046, 0053).

As per claim 9, Mustafa teaches a method as claimed in claim 2 which further comprises storing a second plurality of web pages which are to be provided on behalf of the first call member (agent storing web pages sent by the client; 0044, 0046, 0053).

As per claim 11, Mustafa teaches a method as claimed in claim 10 wherein said information about one or more potential call members comprises directory numbers (pp 0032, 0053).

As per claim 14, Mustafa teaches an apparatus as claimed in claim 13 which is a web server (0032).

As per claim 16, Mustafa teaches a communications network comprising an apparatus as claimed in claim 13 (0029).

As per claim 15, Mustafa teaches an apparatus as claimed in claim 13 wherein said input arranged to access said stored web pages is arranged to send java servlets to one or more backend databases where the web pages are stored (0030, 0032).

As per claim 18, Mustafa teaches a computer program as claimed in claim 17 which is stored on a computer readable medium (0028, Fig. 1, 0046, 0053).

As per claim 20, Mustafa teaches a method as claimed in claim 19 where communication is established with the source by sending a command to a pre-defined web server address (0032).

As per claim 21, Mustafa teaches a method as claimed in claim 19 which further comprises sending information about the telephone terminal to the source (0031, 0032, 0053).

Response to Arguments

1. Applicant's arguments with respect to claims 1, 2, 5-11, 13-18 and 19-21 have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uzma Alam whose telephone number is (571) 272-3995. The examiner can normally be reached on Monday-Tuesday 5:30 AM - 2:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Uzma Alam
Ua
December 8, 2006


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